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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MAXIMILIAN KLEIN, et al.,

Plaintiffs,

v.

META PLATFORMS, INC.,

Defendant.

Case No. 20-cv-08570-JD

Hon. James Donato

**DECLARATION OF BRIAN J. DUNNE
IN SUPPORT OF ADVERTISER
PLAINTIFFS' ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
NETFLIX, INC.'S MATERIAL SHOULD
BE SEALED**

1 I, Brian J. Dunne, declare and state as follows:

2 1. I am an attorney licensed in the State of California and admitted to the United States
3 District Court for the Northern District of California. I am a partner at Bathaee Dunne LLP, counsel for
4 the Advertiser Plaintiffs in the above-captioned matter. I have personal knowledge of the facts set forth
5 herein and, if called as a witness, could and would testify competently to them.

6 2. This declaration is made in support of Advertiser Plaintiffs' Administrative Motion to
7 Consider Whether Netflix, Inc.'s Material Should Be Sealed, filed in connection with the concurrently
8 filed discovery dispute letter.

9 3. Certain documents and information referenced in the discovery dispute letter have been
10 designated by nonparty Netflix, Inc., as "Confidential" or "Highly Confidential" under the Stipulated
11 Protective Order (Dkt. No. 314).

12 4. Portions of the discovery dispute letter referencing or reflecting the contents of the
13 documents and information designated by Netflix as "Confidential" or "Highly Confidential" have been
14 redacted from the publicly filed version of the letter. *See* Civil L.R. 79-5(e)(1).

15 5. An unredacted version of the discovery dispute letter with these references highlighted
16 in red is filed herewith. *See* Civil L.R. 79-5(e)(2), (f)(1).

17 6. The discovery dispute letter also contains information designated as "Confidential" or
18 "Highly Confidential" by Defendant Meta Platforms, Inc. This information has also been redacted from
19 the publicly-filed letter, and has been highlighted in yellow in the unredacted letter filed with this
20 motion.

21 7. Advertiser Plaintiffs' request in this motion is limited to documents and information
22 produced by Netflix marked Confidential or Highly Confidential, or information directly reflecting
23 documents and information produced by Netflix marked Confidential or Highly Confidential. This
24 request is thus narrowly tailored to seek sealing only of potentially sealable material.

25 8. The potential sealing of information designated as "Confidential" or "Highly
26 Confidential" by Meta Platforms, Inc., in the discovery dispute letter is subject to a separate
27 Administrative Motion to Consider Whether Meta Platforms, Inc.'s Material Should be Sealed.
28

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on April 17, 2023, in Austin, Texas.

3 /s/ Brian J. Dunne
4 Brian J. Dunne

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